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January 29, 2025

**VIA ECF**

Hon. Cheryl L. Pollak  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East, Room 1230  
Brooklyn, NY 11201

**Re: *American Transit Insurance Co. v. Pierre et al.*, 1:24-cv-00360-RPK-CLP –  
Motion to Strike Defaulted Defendant Bradley Pierre’s Unauthorized Sur-  
Sur-Reply On Motion to Compel MRC’s Compliance With Subpoena**

Dear Magistrate Judge Pollak:

On behalf of Plaintiff American Transit Insurance Company (“ATIC”), we submit this letter motion to request that the Court strike the second unauthorized filing (a “sur-sur-reply” at ECF No. 146) of defaulted Defendant Bradley Pierre in opposition to ATIC’s letter motion (ECF No. 135) to compel Medical Reimbursement Consultants, Inc.’s (“MRC”) compliance with the subpoena *duces tecum* that ATIC served on it. Like his sur-reply (ECF No. 139), Mr. Pierre’s filing is without leave in violation of Court Rule. Moreover, it is not responsive to the issue on ATIC’s motion to compel: whether MRC may continue to disregard a subpoena duly served on it in this matter. MRC still has not responded to the compel motion and it remains in contempt. Rather, MRC’s sole owner Pierre (through counsel who represents MRC in state court cases) repeats his false assertions about his and MRC’s lack of criminal conduct (notwithstanding the federal allocutions, guilty pleas, and 10-year prison sentence addressed in many other filings in this case which implicate them both).

ATIC respectfully requests that the Court strike Mr. Pierre’s two unauthorized sur-replies (ECF Nos. 139 and 146).<sup>1</sup>

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Perkins", with a stylized flourish at the end.

James W. Perkins

cc: All Counsel of Record (via ECF)

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<sup>1</sup> Pierre threatens ATIC and its counsel with Fed. R. Civ. Pr. Rule 11 sanctions; not only is the threat lacking any substance, the Rule also does not apply on this discovery-related motion to compel. *See id.* Rule 11(d).